TAB

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box TTAB, Commissioner for Trademarks, Arlington, VA, 22202-2513, on the date shown below.

Dated: January 24, 2003

Signature:

(Richard B. Hoffman)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Registration No. 2,034,256

LDR INDUSTRIES, INC.,

Petitioner,

v.

Cancellation No. 40,392

Mark: PRESTIGE

BATH UNLIMITED, INC.,

Registrant.

Registrant.

Box TTAB No Fee

Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513 01-27-2003

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #77

WITHDRAWAL OF PETITION FOR CANCELLATION

Petitioner, LDR INDUSTRIES, INC., hereby withdraws the present Cancellation Petition, Cancellation No. 40,392, pursuant to TBMP 601.02, 37 C.F.R. § 2.114, with prejudice.

Petitioner, LDR INDUSTRIES, INC.

 $\mathbf{B}\mathbf{y}$

Richard B. Hoffman

Beau D. Barberis

Jill Anderfuren

MARSHALL, GERSTEIN & BORUN

233 South Wacker Drive, Suite 6300

Chicago, Illinois 60606

(312) 474-6300

Attorney for Petitioner

Dated: January 24, 2003

CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2003, I served on Petitioner's counsel a true copy of the foregoing WITHDRAWAL OF OPPOSITION CANCELLATION by First Class Mail postage prepaid, addressed as follows:

Glenn E. Forbis Michelle L. Visser RADER, FISHMAN & GRAUER PLLC 39533 Woodward Avenue, Stuie 140 Bloomfield Hills, Michigan 48304

Date: January 24, 2003

Attorney for Petitions